J R. S 59]

GENERAL AND REVENUE SECRETARIAT.

1910-11
( Annual )

File No. 383 Misc

Serial Nos. 1 — 2

Papers Filed.

Month August 1911

SUBJECT

Sale of building sites in Dharwar

| PREVIOUS REFERENCES. | LATER REFERENCES. |
| --- | --- |
| | ML 335-11 Nos 1, 9 & June 1 |

G R.S. 11] 1900-4

GENERAL AND REVENUE SECRETARIAT

( Jud. )

NOTES

File No. 283-6

FILE HEADING

Sale of building sites in Dadanagar -

From

The Dy. Com., Chitaldrug

No. 464 Dated 3 Sr. 04 Received 6 Sr. 11

| Diary No. 7150 | Enclos file Spare Copies— | Serial No. 1 |
|---|---|---|

BRIEF ABSTRACT OF LETTER.

Reports the sale of certain building sites in Dadanagar for Rs. 705/- and requests sanction thereto under section 60 (2) of the Inam Regulation

NOTES AND ORDERS

Draft sanctioning the proposed sale of lands as sites.

2 The Dy. Com^r has made a separate reference suggesting that the Dy. Commissioners of Districts may be empowered to sanction transfers

NOTE—First sheet.

G·I·P—15,000—21-4-09

[G. L. S. 12]
General and Revenue Secretariat.

AL File No. 283 of 1940

Serial No.

transfers of unassessable properties within Municipalities to avoid unnecessary correspondence. But letter has been temporarily withdrawn for orders

13.5.41

3 approved. The rule requiring the sanction of Govt is absurd. How did it come into existence?

16/5/41

4 1 Issue - 2 - Note

17.5.41

2 5 S. O. No 4640 dt 20 5th Aug. Sanctions the rule referred to

6 File recommended. These sections are based on the Bombay District Municipalities Act under which the written sanction of the Commissioner is necessary for the sale of any land (vide Cummings' Manual in this connection). Instructions are solicited as to whether any action should be taken

Note—Contd. Next

GPB—20,000—12-8-10

7150

G R S 12 ]
General and Revenue
Secretariat

NB File No 383 of 1940

Serial No

Letter for amending the present provisions of the Regulation
Act 50
21/7/42 (NB)

7 In the case of extensions, sanction may be accorded once for all for the sale of sites therein subject to such conditions, if any, as may be prescribed In Cases of disposal of Municipal or Govt land in other places are not likely to be many - It may be seen for some time how the provision works and action taken afterwards to amend the Regulation, if necessary
(NB Cr) 25 7 " Due

8 The Regulation will have to be amended - Please collate the provisions in important Municipal Regulations re Sale of Vacant Municipal land NB N
29/7/42 27/7/42 Due 29/7/42

Wors—Contin. sheet

GPB—60 000—12 8 10

G R S. 12 ]
General and Revenue Secretariat.

Mcl File No. 383 of 1916

Serial No.

*pages 5 to 8

Q. A Statement shewing the provisions in force of the British Indian Municipal Acts relating to the sale of immoveable property vesting in municipal Councils is appended to these Notes.

HMS 8/11

Except in the case of Bombay, municipal Councils are not given absolute power to dispose of immoveable property vested in them -

1 8 1911

1st Cr) 3-8-11 Mlle

After all, this seems a wholesome provision & maybe left undisturbed.

KVR
4/8/11
file
5 8 11 Mlle

Note— Contn. abse

Statement showing the Acts of immovable property vesting in Municipal

| Sl. No. | Name of the Act | | |
|---|---|---|---|
| 1 | The Madras Local Municipal Act, III of | | |
| 2. | The Madras District Municipalities Act IV of 1884 | | |

Vesting in Municipal Councils

| Sl. No | Name of the Act | Section and Provision |
|---|---|---|
| 1 | The Madras City Municipal Act, III of 1904 | 406 × × the Corp<br>×<br>(3) ~~land or house~~ with the dec<br>any land or building whic<br>acquired for the purpose i |
| 2 | The Madras District Municipalities Act, IV of 1884 | 250 (1), The Governor in Cou<br>Consistent with the Act —<br>×<br>(g) as to the conditions on<br>cipal Council may be hand<br>or otherwise<br>Rule framed<br>No immovable property ves<br>transferred by Sale, Mortgage<br>sanction of the Governor in Co<br>Any person acquiring a<br>nicipal Council by Sale, mort<br>Government such assessmen<br>be, as the Collector may dete<br>property The assessment sh<br>liable to periodical revision<br>Madras Municipal Manua |

| 1. The Act | |
|---|---|
| xtion may — | |
| tion of the Local Government Board in them in virtue of this Act or of | |
| ral may x x make rules with re- | |
| such property vested in the Munici- red by sale, mortgage, lease, exchange | |
| the Government | |
| in a Municipal Council shall be exchange or otherwise, without the sil | |
| y immovable property from a Muni- e, exchange or otherwise, shall pay to or ground rent, as the case may me to be payable in respect of that ound rent as determined will be | |

( Vide page 369 of Municipal Acts

| | | |
|---|---|---|
| 3 | The North-Western Provinces and Outh Municipalities Act, I of 1900 | 187 (1) The Local Governm<br>publication, make rules co<br>all or any Municipalities<br>×<br>(m) as to the conditions on<br>the Board, or in which pro<br>transferred by sale, mort<br>Rules fra<br>×<br>2 Immovable property—<br>the previous approval of the Co<br>such terms and conditions a<br>transferred by the board by<br>or exchange, or otherwise than<br>If the capital value of<br>powers of the Commissioner<br>Magistrate. (Vide page 9, |
| 4 | The Burma Municipal Act, III of 1898 | 13 Every Committee shall be<br>Municipal Committee of ——<br>and a Common Seal, with powe<br>to acquire and hold property<br>transfer any property held<br>other things necessary for<br>may sue and be sued in it<br>Provided that no co<br>moveable property except<br>passed at a special meeti<br>ment |

may x x x may, after [illegible] no
lands with the Act and applic[illegible] to

x x

such property may be acquired by
by vested in the Board may be
, lease, exchange or otherwise
d by the Government

x x

d in the Board shall not, except with
isioner and in such manner and on
e Commissioner may approve, be
y of sale or by way of mortgage, exchange,
by way of lease without a premium
property does not exceed Rs 500, the
der this rule shall vest in the District
the Municipal Manual Vol I)

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body corporate by the name of "The
d shall have perpetual succession
subject to the provisions of this Act,
both movable and immovable, and to
by it, and to contract and to do all
purposes of its constitution, and
Corporate name
nittee shall transfer any im-
[illegible] pursuance of a resolution
and approved by the Local Govern

| | | |
|---|---|---|
| 5 | The City of Bombay Municipal Act, III of 1888 | 92 With respect to the Corporation the following<br>x<br>(c) With the sanction o may lease, sell or otherwi or immoveable, belonging to<br>(d) the sanction x x of may be given either ge cally or in any particular |
| 6. | The Bombay District Municipal Act, III of 1901 | 40 (2) In the case of a a term exceeding seven yea of any such property missioner is required |

...sal of property belonging to the ×
...visions shall have effect, namely

×

...the Corporation, the Commissioners
...convey any property, moveable
...Corporation
...Corporation under × × clause (c)
...ally for any class of cases or spe-
...ase

× Vide secs 87 & 91 of the Act

...any lease of immoveable property for
..., and of every sale or other transfer
...the previous sanction of the Com-.

Note on the sub
ject in Cummings
Manual. (1869)
It having been found
that some Municipa-
lities had taken advantage
of the provision (of Act
VI of 1873) to lease
land in perpetuity at a
merely nominal rent
which was in effect an
out and out disposal
of the property and
was never intended
by the legislature, oppor-
tunity has been taken
to limit the power
of municipalities
to lease as well
as sell their im-
moveable property

4th Brig. 6.6.11

1911

From The Deputy Surveyor General Central Circle Dte

To The Secretary to Govt Genl & Rev Dpt to Bangalore

Dated

Despatched 28 Mar 1911

Received

General No 444
No

Enclosure No. 6-6

Requesting sanction for the sale of certain building sites in Davangere

From

Md 383-10-1

K Lokanaya Esqr. B.A
Deputy Commissioner
Chitaldrug District

To

S. Balasundaram Iyer Esqr B.A.
Offg. Secretary to Government
General & Revenue Departments
Bangalore

Sir,

I have the honor to state that one Lukkappa Boudade, resident of Davangere, put in an application in January last praying that Sites nos 2489, 2490, 2491 & 2492 of Davangere town measuring 100'x30' each, might be given to him at the prevailing rates, for building purposes. The matter was placed before the Council who decided that the Sites might be sold by public auction subject to the conditions noted in the margin, accordingly a Sale notice was issued and given due publicity. In the auction Sale conducted in the presence of the Amildar and Vice President of the Municipality, Sites nos 2489 and 2490 stood in the name of the applicant Lukkappa for Rs 360/-, while Sites nos: 2491 and 2492, in the

* 1 The material required for the construction of the house to be collected within 3 months from the date of confirmation of sale.
2 The foundation should be laid within 6 months.
3 The building should be completed within one year failing otherwise the Site will be forfeited to the municipality

name of Balappa for Rs 345/- The total amount realized from the sale of the four sites is Rs 705/-

2 The sale has fetched a decent rate of about -0-8-6 per Square yard, the average prevailing rate of the town being 4 annas a Square yard

3. The full amount of the purchase money has been recovered and credited to Treasury

4 As it is reported that no one else come forward with a higher bid, and as the sale is conducted after the necessary formalities, I beg to recommend that the Sale may kindly be Sanctioned by Government as required by para 2 of Section 40 of the municipal Regulation of 1906

5 The vernacular papers on the subject ending with Davangere Sub-Division Senior Assistant Commissioner's yaz no 82 of 1941 giving cover to the Vice President's report and also to the Board's resolution in the matter, are submitted herewith for perusal and kindly return when no longer required

I have the honor to be,
Sir,
Your most obedient Servant
K Chandy
Deputy Commissioner
Chitaldrug District

G.R.S. 28 ]

File No 303-00
Serial No 2

Diary No of letter replied to 7150

Proceedings of the Government of His Highness the Maharaja of Mysore.

GENERAL AND REVENUE SECRETARIAT

Read— Letter No Lds 14 dated 30 May 1911 from the Dy. Comr, Chitaldrug Dt, reporting that tenders Nos. 2487, 2490 2491 & 2492 in the Davangere town each measuring 100 x 30' were sold by auction to Lakkappa Bandsee and Balubha for an aggregate sum of Rs 705/- that the works cost Rs 0-8-0

over leaf

Order thereon—No.

Date of issue 20.5.11

Signed by [illegible]

Dated the 12 5 1911

Subject

[illegible] yard against the
adverse prevailing rate
[illegible] Assessor a square yard and
therefore one else has come
forward with a higher bid
and requesting sanction to
the sale of the said sites
under Sec 60 (2) of the Municipal
Regulation

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Order thereon 9610-mc 383-1 cm-2 9.20.5/11

Sanctioned

[illegible]
[illegible]

[illegible]
Executive
Officer

To the Deputy Commissioner Circle-I for
Scrutiny the Memorandum papers